

REMARKS

Applicants respectfully request entry of this Amendment and favorable reconsideration of this application as amended.

Claims 9-20 are pending. Claims 1-8 were previously cancelled without prejudice or disclaimer. By this Amendment, Claims 9, 11-13, 16, 17, 19 and 20 have been amended for clarity of expression as well as to address the alleged informalities in Claims 9-15. Claims 9 and 16 have also been amended to more particularly recite certain distinctive features of Applicants' invention as discussed below.

In the Office Action, Claims 9-20 were rejected under 35 U.S.C § 102(e) over Alexander. Without acceding to the outstanding rejection, Claims 9 and 16 have been amended more particularly to recite certain distinctive features of Applicants' invention as suggested in the Office Action. Therefore, Applicants believe that no additional search is required and respectfully request entry of this Amendment.

Applicants respectfully submit that, at least as presently amended, independent Claims 9 and 16 distinguish patentably from Alexander, which forms the basis for the aforementioned rejection. In particular, Claim 9 has been amended to recite that the startup function activates the operating system and calls the automatic repair function, the automatic repair function calls an operating system mounting function which constructs an execution environment for the operating system based on data structures saved in the mass memory and, if an error based on incoherent data structures saved in the mass memory is detected during the operating system mounting function, the automatic repair function automatically calls the startup function upon return of a standard acknowledgement function. Claim 16 has been amended to recite that the startup function is operable to activate the operating system, that the mounting the operating

system comprises constructing an execution environment for the operating system based on data structures saved in the mass memory, that the acknowledging any error indicated in mounting the operating system is based on incoherent data structures saved in the mass memory, and that the reactivating occurs in response to the acknowledging. Support for these features is provided, for example, at page 2, lines 25-27 and at page 3, lines 13-15 and lines 19-22.

It is apparent that Alexander does not teach or suggest, at a minimum, the above-recited features of Claims 9 and 16. For example, Alexander merely teaches that when booting from a particular state (“suspend-to-ram” state), “the self-healing BIOS looks at key memory locations to verify that the system RAM has been preserved across the suspend transition.” Alexander, Col. 3, lines 15-19. Alexander does not teach or suggest detecting an error, or acknowledging any error indicated in mounting the operating system, *based on incoherent data structures saved in the mass memory* as recited in Claims 9 and 16.

Therefore, Claims 9 and 16 are believed to be allowable. Their respective dependent claims are also allowable for at least the above reasons as well as the additional feature(s) recited therein.

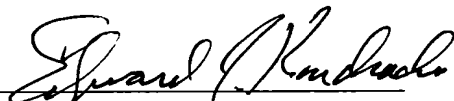
A Notice of Allowance is respectfully requested.

Should the Examiner believe that any further action is necessary to place this application in better form for allowance, the Examiner is invited to contact Applicants’ representative at the telephone number listed below.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (T2147-907310) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

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